



Applicant(s)	Clarke V. Greene	TRANSMITTAL FORM UNDER 37 CFR 1.8 (LARGE ENTITY)
Serial No.	09/995,167	
Confirmation No.	9359	
Filing Date	November 26, 2001	
Group Art Unit	2611	
Examiner Name	Ngoc K. Vu	
Attorney Docket No.	650.361US01	
Title: PASSIVE CMTS REDUNDANCY		

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Enclosures					
The following documents are enclosed:					
<input checked="" type="checkbox"/> Amendment and Response Under 37 CFR 1.116 (14 pgs.)					
<input checked="" type="checkbox"/> Copy of Notice of Non-Compliant Amendment mailed September 24, 2004 (2 pgs.)					
<input checked="" type="checkbox"/> Response to Non-Compliant Amendment (1 pg.)					
<input checked="" type="checkbox"/> A return postcard.					
Please charge any additional fees or credit any overpayments to Deposit Account No. 502432.					
CUSTOMER NO. 34206					
Submitted By					
Name	Scott V. Lundberg	Reg. No.	41,958	Telephone	(612) 332-4720
Signature				Date	December 22, 2004
Attorneys for Applicant Fogg and Associates, LLC P.O. Box 581539 Minneapolis, MN 55458-1339 T: 612-332-4720 F: 612-332-4731					
Certificate of Mailing					
I certify that this correspondence, and the documents identified above, are being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on December 22, 2004					
Name	Elizabeth A. Bauer		Signature		

Applicant	Greene et al	<u>RESPONSE TO NOTICE</u> <u>OF NON-COMPLIANT</u> <u>AMENDMENT</u>
Serial No.	09/995,167	
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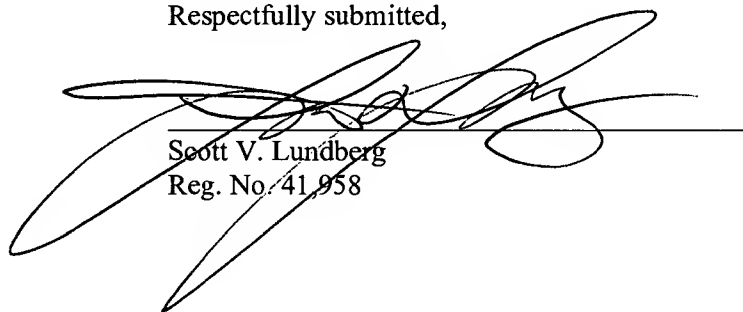
Applicant has reviewed the Notice of Non-Compliant Amendment mailed on September 24, 2004 (copy enclosed). This notice indicates that the cause of the amendment document to be non-compliant is that the Amendment and Response filed on August 25, 2004 did not include the text of all pending claims. Please find attached the Amendment and Response signed by the attorney of record.

The application should now be in condition for examination. Please direct any inquiries to the undersigned attorney.

Respectfully submitted,

Date: 12-22-04

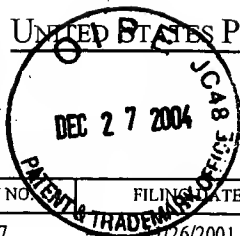
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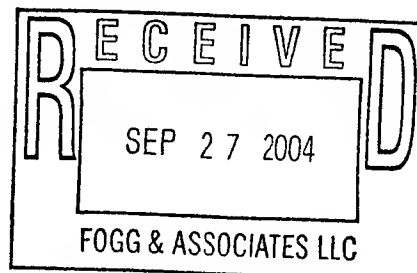
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/995,167	11/26/2001	Clarke V. Greene	100.361US01	9359
34206	7590	09/24/2004	EXAMINER	
FOGG AND ASSOCIATES, LLC			VU, NGOC K	
P.O. BOX 581339				
MINNEAPOLIS, MN 55458-1339			ART UNIT	
			PAPER NUMBER	
			2611	

DATE MAILED: 09/24/2004

D✓

Please find below and/or attached an Office communication concerning this application or proceeding.

Response due -
10-4-04





UNITED STATES PATENT AND TRADEMARK OFFICE



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**Failure to Acceptably Respond to
Notice of Non-Compliant Amendment (37 CFR 1.121)
No New Time Period for Reply is Provided**

The amendment document filed on 8/9/04 fails to provide the corrective action required by the prior Notice of Non-Compliant Amendment (37 CFR 1.121) mailed on _____. The amendment, including both the originally filed amendment and the amendment filed in response to the prior notice, is still considered to be non-compliant under 37 CFR 1.121. In order for the amendment document to be compliant, correction of the item(s) listed below is required. **Only the corrected section of the non-compliant amendment document must be resubmitted (in its entirety), e.g., the entire "Amendments to the claims" section of applicant's amendment document must be re-submitted.** 37 CFR 1.121(h).

The period for reply continues to run from the mailing date of the prior Notice of Non-Compliant Amendment. The corrections listed below must be timely filed to avoid abandonment of the application. No new time period for reply is provided in this communication. See the Manual of Patent Examining Procedure (MPEP) § 714.03.

If the period for reply set forth in the prior Notice of Non-Compliant Amendment has expired, this application will become abandoned unless applicant: (1) corrects the deficiency, **and** (2) obtains an extension of time under 37 CFR 1.136(a). In no case may an applicant reply outside the SIX (6) MONTH statutory period or obtain an extension for more than FIVE (5) MONTHS beyond the date for reply set forth in the prior Notice of Non-Compliant Amendment (37 CFR 1.121).

THE FOLLOWING CHECKED (X) ITEM(S) CAUSE THE AMENDMENT DOCUMENT TO BE NON-COMPLIANT:

- ☐ 1. Amendments to the specification:
- ☐ A. Amended paragraph(s) do not include markings.
 - ☐ B. New paragraph(s) should not be underlined.
 - ☐ C. Other _____
- ☐ 2. Abstract:
- ☐ A. Not presented on a separate sheet. 37 CFR 1.72.
 - ☐ B. Other _____
- ☐ 3. Amendments to the drawings: _____
- ☒ 4. Amendments to the claims:
- ☐ A. A complete listing of all of the claims is not present.
 - ☒ B. The listing of claims does not include the text of all pending claims (including withdrawn claims)
 - ☐ C. Each claim has not been provided with the proper status identifier, and as such, the individual status of each claim cannot be identified. Note: the status of every claim must be indicated after its claim number by using one of the following 7 status identifiers: (Original), (Currently amended), (Canceled), (Withdrawn), (Previously presented), (New) and (Not entered).
 - ☐ D. The claims of this amendment paper have not been presented in ascending numerical order.
 - ☐ E. Other: _____

For further explanation of the amendment format required by 37 CFR 1.121, see MPEP § 714 and the USPTO website at <http://www.uspto.gov/web/offices/pac/dapp/opt2/prconnotice/officeflyer.pdf>.

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Supervisory Legal Instruments Examiner (SLIE)

2-305-9616
Telephone No.